

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

EMPLOYERS INSURANCE COMPANY  
OF WAUSAU,

Plaintiff,

v.

MEDLINE INDUSTRIES, INC., AND  
CREATIVE BEDDING TECHNOLOGIES,  
INC.,

Defendants.

NO. 3:06-0611

Judge Wiseman

Magistrate Judge Bryant

**SECOND AFFIDAVIT OF DR. HARRI KYTOMAA**

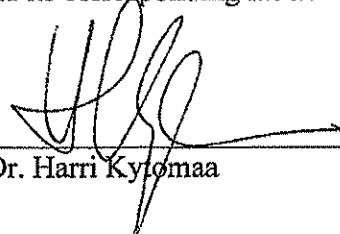
1. I, Dr. Harri Kytomaa, state that I have personal knowledge of the facts stated in this Second Affidavit and if called as a witness to testify, I would and could competently testify to the following.

2. On June 27, 2007, I inspected the remaining physical evidence from the fire scene at Abbott Self Storage in Nashville, Tennessee. During my inspection at Abbott Self Storage, I inspected and photographed mattresses that were stored at the site.

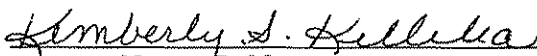
3. Five of the mattress on site were not manufactured or sold by Defendants – one is labeled as a Simmons mattress, two are labeled as Tendercare mattresses, and two are labeled as Span America mattresses. True and accurate photographs of these five mattresses followed by their corresponding labels are attached as Exhibit A.

4. Attached hereto as Exhibit B are true and accurate photographs depicting a Medline Nylex II Convolutd Innerspring Mattress and its corresponding label.

FURTHER AFFIANT SAYETH NAUGHT.

  
Dr. Harri Kytomaa

SUBSCRIBED and SWORN to before me  
this 20<sup>th</sup> day of November, 2007.

  
Notary Public

